

**EXHIBIT 12**

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# HONIGMAN

Honigman Miller Schwartz and Cohn LLP  
Attorneys and Counselors

Brian D. Wassom

(248) 566-8490  
Fax: (248) 566-8491  
bdw@honigman.com

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*Via FedEx and Email*

November 21, 2014

Rove Concepts  
2318 Oak Street  
Vancouver, BC V6H 4J1  
Canada  
info@roveconcepts.com

**Re: Infringement of Herman Miller's EAMES® Trademark and Trade Dresses**

To the Person of Highest Authority:

I write to follow up on the letters we sent you on August 19, 2013 and January 15, 2014, as well as the several email exchanges and telephone conversations I have had with your company and your then-attorneys since that time.

As you know, we represent Herman Miller, Inc. ("Herman Miller"), which owns incontestable trademark rights in the EAMES® name, the configuration of the EAMES® Lounge Chair and Ottoman, and the design of the EAMES® Aluminum Group™ and EAMES® Soft Pad™ furniture, as well as the publicity rights to the name and likeness of Charles and Ray Eames as used in connection with furniture. In each of our communications, we have insisted that you stop advertising and selling these products, and stop using these marks and likenesses. On several occasions, you have agreed to comply with these demands, but have failed to follow through on your commitments. As of today, you continue to advertise each of these products for sale, and continue to use the EAMES® marks and likenesses.

Considering the number of direct, written conversations we have had on this topic, it is inconceivable that you are not completely aware that your actions are violating Herman Miller's legal rights. As you may know, although the consequences of trademark infringement are already severe, federal and state law provide additional remedies for willful infringement, including tripled monetary damages and reimbursement of Herman Miller's legal fees.

Nevertheless, in the highly unlikely event that you somehow still do not understand what you must do in order to stop infringing Herman Miller's legal rights, I provide the following instructions again, based on the appearance of your various websites as of today. These instructions are not necessarily comprehensive, because we cannot know whether we have yet located every instance of infringement in each of your marketing channels. This will, however, illustrate several examples of your continuing infringements.

1. The EAMES® Lounge Chair and Ottoman. You are advertising (and even promoting a sale on) this item. You must stop advertising and selling this product, as it is a direct knock-off and infringement of Herman Miller's registered trade dress. Examples can be found at the following URLs:

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<http://roveconcepts.com>

<http://www.roveconcepts.com/rove-lounge-chair-ottoman.html>

<https://twitter.com/roveconcepts>

<https://plus.google.com/+Roveconceptsmodern/posts>

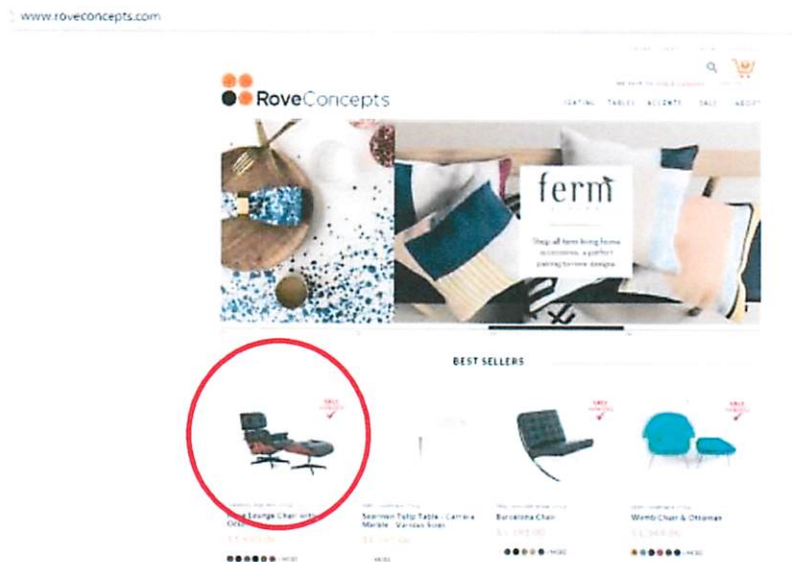
<https://www.facebook.com/roveconceptsmodern>

<http://instagram.com/p/flSP-3izAF/?modal=true>

<http://www.houzz.com/projects/125977/eames-style-lounge-chair-and-ottoman-by-rove-concepts>

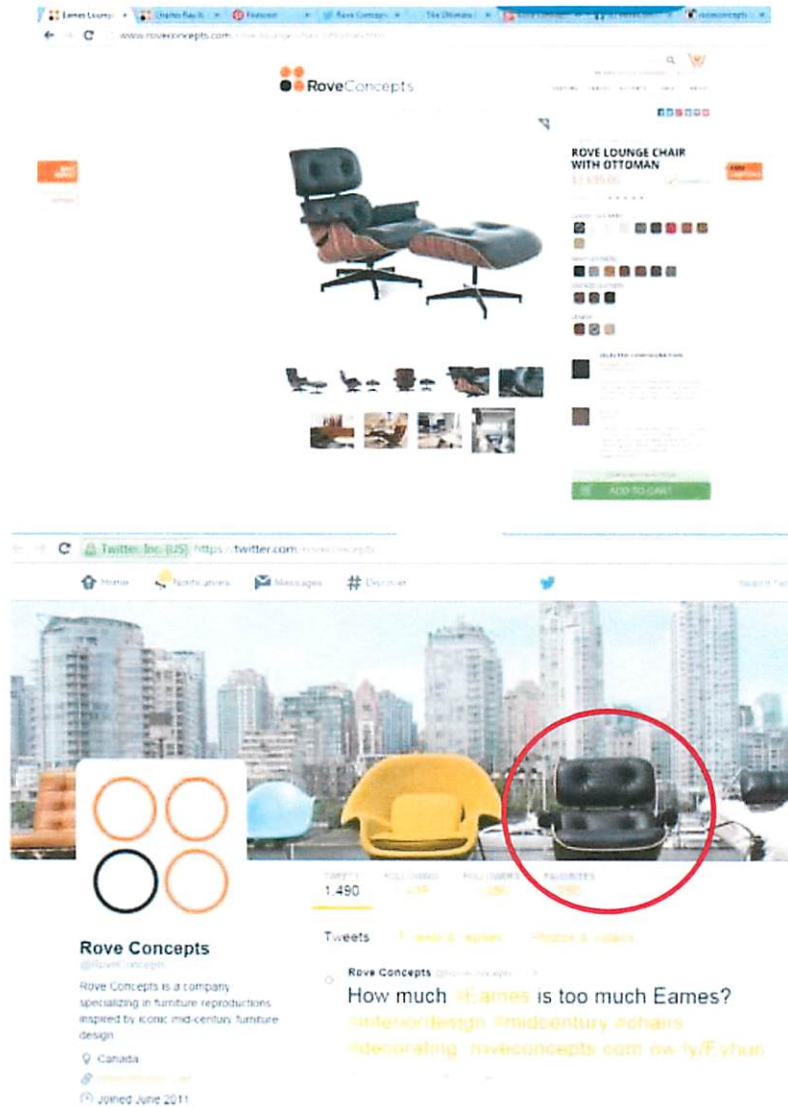
[https://www.youtube.com/watch?v=LH\\_Mi7r5\\_2o](https://www.youtube.com/watch?v=LH_Mi7r5_2o)

[https://www.youtube.com/watch?v=s\\_Aj8XFZSCw](https://www.youtube.com/watch?v=s_Aj8XFZSCw)



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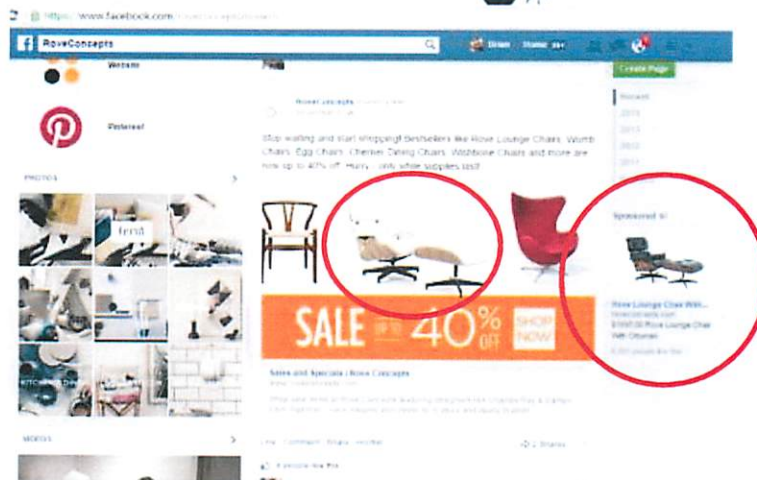
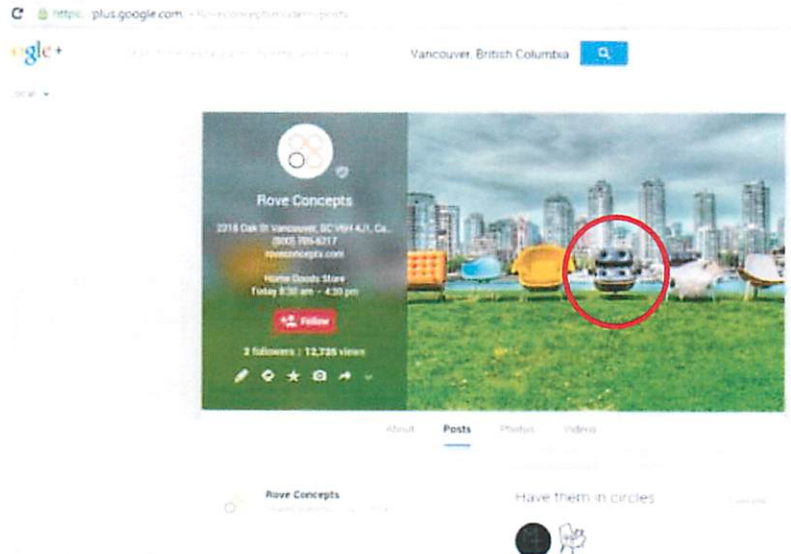


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2. The EAMES® Soft Pad™ and Aluminum Group™ Chairs. You must stop advertising and selling these items as well, as they are also direct knock-offs and infringements of Herman Miller's registered trade dress. Examples can be found at the following URLs:

[http://www.roveconcepts.com/eames-charles-and-ray\\_eames-style-aluminum-group-side-chair.html](http://www.roveconcepts.com/eames-charles-and-ray_eames-style-aluminum-group-side-chair.html)

[http://www.roveconcepts.com/eames-charles-and-ray\\_eames-soft-pad-executive-chair.html](http://www.roveconcepts.com/eames-charles-and-ray_eames-soft-pad-executive-chair.html)

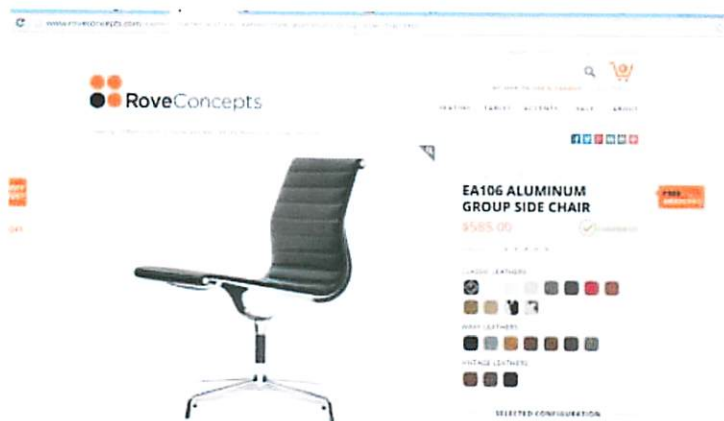
[http://www.roveconcepts.com/eames-charles-and-ray\\_eames-soft-pad-management-chair.html](http://www.roveconcepts.com/eames-charles-and-ray_eames-soft-pad-management-chair.html)

[http://www.roveconcepts.com/eames-charles-and-ray\\_eames-aluminum-group-management-chair.html](http://www.roveconcepts.com/eames-charles-and-ray_eames-aluminum-group-management-chair.html)

<https://www.pinterest.com/pin/337840409519361787/>

<https://www.youtube.com/watch?v=0bCGyrWV7T4>

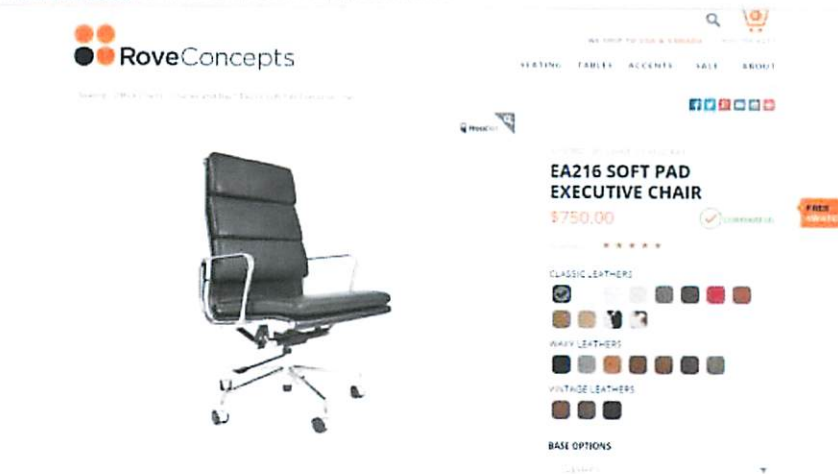
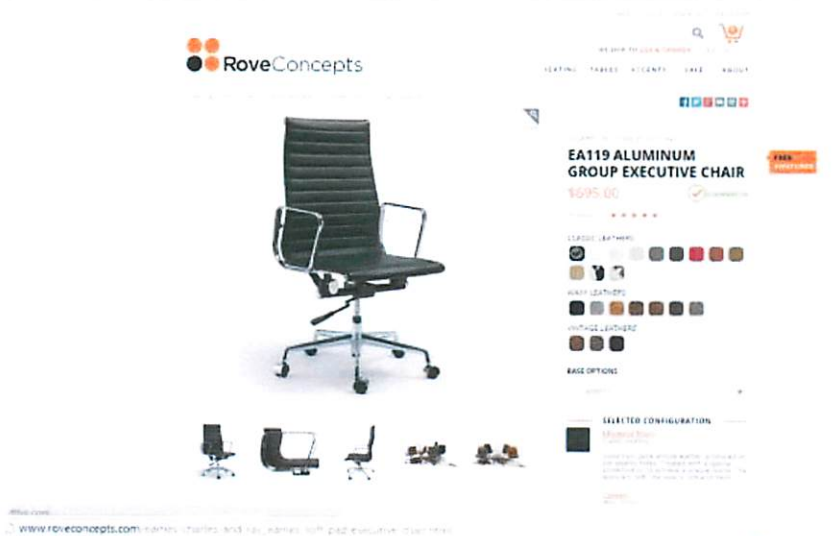
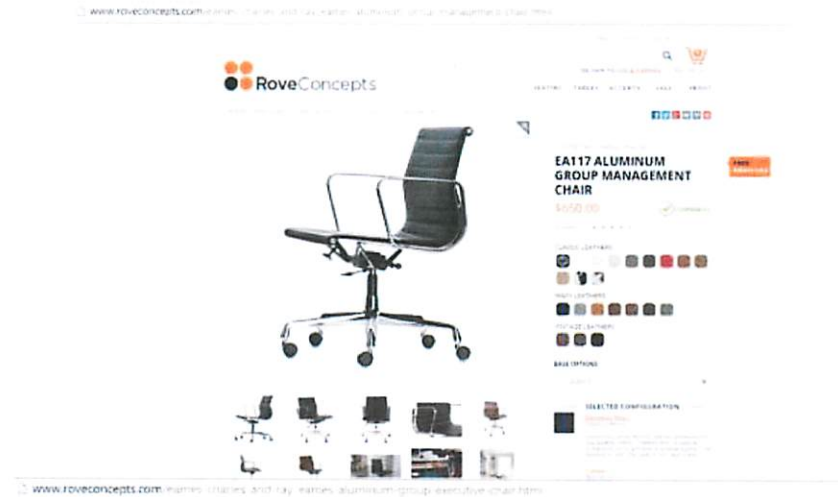
<https://www.youtube.com/watch?v=4JG9MUQ56jw>





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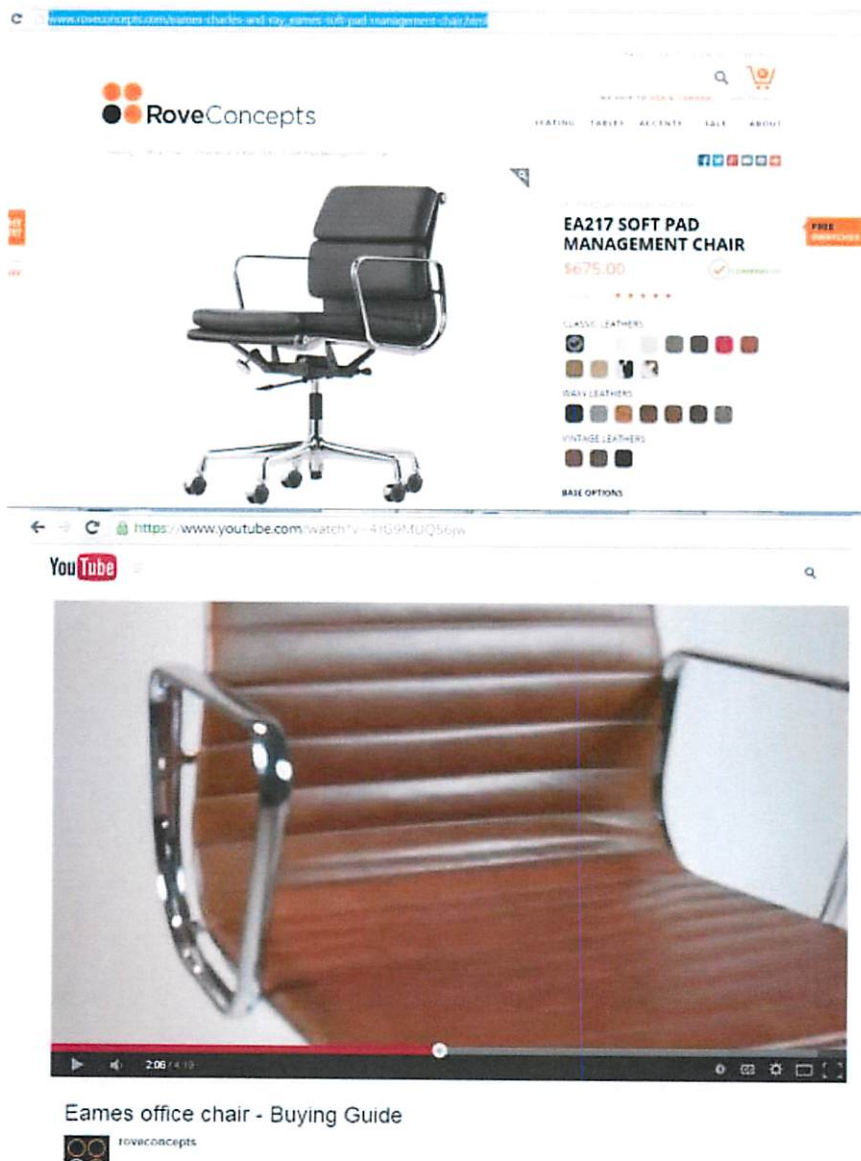
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3. The EAMES® mark. Your uses of the trademark EAMES® are demonstrated throughout the foregoing excerpts, and most likely in several other places as well. Because Herman Miller owns trademark rights to this word in connection with furniture, your use of the

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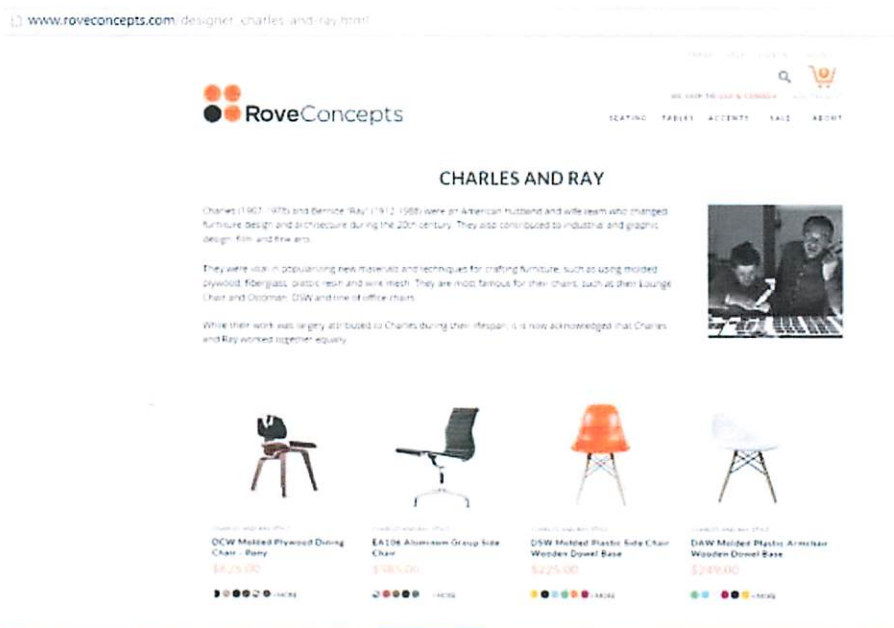
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word in your furniture-related business necessarily infringes our client's rights. Your use of the word must end.

4. The Likenesses of Charles and Ray Eames. You continue to display pictures of, and make reference to, the late designers Charles and Ray Eames for the purpose of promoting your furniture business. This infringes the publicity rights in the Eameses' identity that are owned by Herman Miller. Examples can be found on at least the following sites:

[http://www.roveconcepts.com/designer\\_charles-and-ray.html](http://www.roveconcepts.com/designer_charles-and-ray.html)

[https://www.youtube.com/watch?v=s\\_Aj8XFZSCw](https://www.youtube.com/watch?v=s_Aj8XFZSCw)





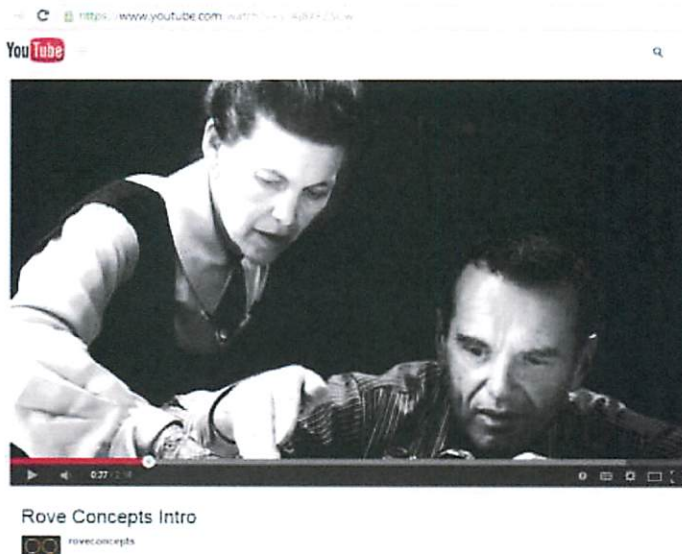
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Curiously, in response to our earlier demands, you dropped the “Eames” surname from the Eameses’ biography on your website, and now refer to them simply as “Charles and Ray.” This transparent attempt to skirt liability while continuing to display the Eameses’ likeness and accomplishments fails. The right of publicity is not limited to an individual’s last name, but rather protects the commercial value of an individual’s likeness, which you are clearly continuing to exploit.

Herman Miller cannot abide your continued infringement of its valuable intellectual property rights. It has been exceptionally patient by continuing to negotiate this matter with you, but that patience cannot continue indefinitely. We request your response to this letter within 15 days of its date.

Regards,

HONIGMAN MILLER SCHWARTZ AND COHN LLP

A handwritten signature in black ink, appearing to read "B. Wassom".

Brian D. Wassom

Enclosures  
cc: Herman Miller, Inc.